

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appl. of: Ceriani et al.) Appl. Ref. No.: CRFC-047
Serial No.: to be assigned)
Filing Date: January 2, 2002) Examiner: Dr M.T.Davis

Title: **POLYPEPTIDE WITH 46 KDALTON HMFG DIFFERENTIATION
ANTIGEN BINDING SPECIFICITY AND CLOTTING FACTORS
V AND VIII LIGHT-CHAIN HOMOLOGIES, FUSION PROTEIN,
POLYNUCLEOTIDE, & POLYRIBONUCLEOTIDE ENCODING
THE POLYPEPTIDE, ANTI-POLYPEPTIDE ANTIBODIES, KITS
AND METHODS OF USE THEREOF**

COVER LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir/Madam:

Enclosed for filing are the following:

1. Divisional Application Form;
2. Declaration (2);
3. Assignment (2);
4. Power of Attorney;
5. Small Entity Statement;
6. Patent Application;
7. Preliminary Amendment;
8. Cert. Under 37 CFR Section 3.73(b);
9. Information Discl. Stmt & 1449-PTO Form;
10. Check in the amount of \$370.00; and
11. Postcard.

Respectfully submitted.

CANCER RESEARCH INSTITUTE

Date

220 River Rd
Gladwyne, PA 19035
609-409-3035 Tel.
413-845-7530 Fax

Viviana Amzel, Ph. D.

Reg. No. 30930

Attorney for the Applicant

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail under 37 CFR 1.10 in an envelope addressed to the Assistant Commissioner for Patents, Washington D C 20231 on October 26, 1999, by Viviana Amzel.

SIGNATURE

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Ceriani et al. : Appl.Ref.No: CRFC-047
Serial No: To be Assigned : Group Art Unit:
Filed: January 2, 2002 : Examiner: Dr M.T.Davis
For: **FUSION PROTEIN WITH 46 KDALTON HMFG DIFFERENTIATION**
ANTIGEN BINDING SPECIFICITY, COMPOSITION, KIT & METHODS

DIVISIONAL APPLICATION

HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS
WASHINGTON, D.C. 20231

Sir:

This is a request for filing a

- ☐ file wrapper continuation
☒ divisional
☐ continuation-in-part

application under 37 C.F.R. 1.62, of pending prior Patent Application Serial No.08/482,596 filed on June 7, 1995, which is a divisional of US Patent Application Serial No. 07/607,538 filed November 1, 1990, now US Patent No. 5,455,031, and US Patent Application Serial No. 08/162,402 filed December 3, 1993, by the present inventors.

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commission of Patents and Trademarks, Washington D.C. 20231, on January 2, 2002, by Viviana Amzel.


SIGNATURE

Express Mailing Label No. _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appl. of: Ceriani et al.) Group Art Unit: 1642
Serial No.: To be Assigned) Examiner: Dr. Minh-Tam Davis
Filed: January 2, 2002) Appl. Ref. No. CRFC-047
For: **ANTIBODY WITH 46 KDALTON HFMG ANTIGEN BINDING
SPECIFICITY, IMMUNOASSAY KIT & DIAGNOSTIC METHOD**

REQUEST FOR TRANSFER OF DRAWINGS

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir/Madam:

The applicant requests that the formal drawings (Figure 1) from US Patent Application Serial No. 08/482,596 be transferred to the above-identified case. A copy of the figure is enclosed.

Respectfully submitted.

CANCER RESEARCH INSTITUTE



Viviana Amzel, Ph.D.

Registration No. 30,930

Attorney for THE Applicants

1/2/02
Date

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EXPRESS MAIL Mailing Label Number: _____

I hereby certify that this paper and fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on January 2, 2002, and is addressed to the Assistant Commissioner for Patents, Washington, D.C., 20231, by Viviana Amzel.

SIGNATURE

Crfc/047/Drawing Trasfer

1. Application as Filed Which Is Enclosed

☒ I hereby verify that the attached papers are a true copy of what is shown in my records to be the above-identified prior application, including the oath or declaration originally filed (37 C.F.R. 1.60).

The papers of the present application that are attached are as follows.

- ☒ 53 page(s) of specification.
- ☒ 13 page(s) of claims.
- ☒ 1 page(s) of abstract.
- ☒ 1 sheet(s) of formal drawings.
- ☒ 1 page(s) of the Inventors' Declarations (copy).
- ☒ ___ page(s) of Assignee's Power of Attorney under Rule 32(copy).
- ☒ 6 page(s) of the Inventors' Assignment to Cancer Research Fund of Contra Costa.
- ☒ 2 page(s) of Certificate under 37 CFR 3.73(b).
- ☒ 5 page(s) of an Information Disclosure Statement.
- ☒ 4 page(s) of 1449-PTO Form with copies of cited references.
- ☒ 5 page(s) of Sequence Listing.
- ☒ 1 page(s) of Sequences' Declaration.

☒ the amendment referred to in the declaration file to complete the prior application. I hereby state, in accordance with the requirements of 37 C.F.R. 1.60 (b), that this amendment did not introduce new matter therein.

2. Amendments

☒ Cancel in this application original claims 2 to 51 before calculating the filing fee.

☒ A Preliminary Amendment is enclosed. The claims added by this Preliminary Amendment have been properly numbered and consecutively starting with the number following the highest numbered original claim in the prior application.

3. Petition for Suspension of Prosecution for the Time Necessary to File an Amendment

☐ There is provided herewith a Petition to Suspend Prosecution for the time necessary to file an amendment (New application filed concurrently).

4. Fee Calculation

A. ☐ Regular Application

CLAIMS AS FILED			
Number filed	Number Extra	Rate	Small Entity
Total Claims 1-20 =0	<u>0</u> X	\$9.00	\$0.00
Independent Claims 1-3 =0	<u>0</u> X	\$42.00	\$0.00
Multiple dependent claim(s), if any =	<u>0</u> X	\$280.00	\$0.00
Basic Filing Fee		\$740.00	\$370.00
Total Fee Calculation		\$ 370.00	

B. ☐ Design Application \$

C. ☐ Plant Application \$

5. Small Entity Status

Verified statement of small entity status is:

- ☐ attached.
- ☐ filed in the parent application, but such status is no longer proper.
- ☒ filed in the parent application, and such status is still proper and desired (37 CFR 1.28 (a)).
- ☐ will follow.

6. Drawings

☒ Transfer the drawings from the prior application to this application and, subject to item 13 below, abandon said prior application as of the filing date accorded this application. A duplicate copy of this request is enclosed for filing in the prior application filed. This filing is signed by either the (1) applicant(s), (2) assignee of record or (3) attorney or agent of record authorized by 37 C.F.R. 1.138 and is being filed before payment of the issue fee.

☐ Transfer the following sheet(s) of drawing from the prior application to this application _____.

☐ New drawings are enclosed.

☐ formal.

☐ informal.

7. Relate Back - 35 U.S.C. 120

☒ Amend the specification by inserting before "Field of the Invention" the following.

-- This application is a divisional of co-pending U.S. Patent Application Serial No. 08/482,596 filed June 7, 1995; which is a divisional of US Patent Application 07/607,538, now US Patent No. 5,455,031, and US Patent Application Serial No. 08/162,402 filed December 3, 1990, now US Patent No. 5,972,337. --

☒ In accordance with the provisions of 35 U.S.C. 120, applicant therefore requests the benefit of the co-pending application and any prior application listed above and its corresponding filing dates for its disclosed invention which is claimed in this application.

8. Priority under 35 U.S.C. 119

☐ Priority of Application Serial No. _____ filed on _____ in _____ is claimed hereby under 35 U.S.C. 119.

☐ The certified copy has been filed in prior U.S. application Serial No. _____ filed on _____.

☐ The certified copy will follow.

9. Inventorship Statement

(a) With respect to the prior co-pending U.S. application from which this application claims benefit under 35 U.S.C. 120, the inventor(s) in this application is (are):

☒ the same.
☐ less than those named in the prior application and it is requested that the following inventor(s) identified above for the prior application be deleted: _____.

☐ not the same.

(b) The inventorship for all the claims in this application is:

☒ the same.
☐ not the same, and an explanation, including the ownership of the various claims at the time the last claimed invention was made, is submitted.

10. Assignment

☒ The prior application is assigned of record to Cancer Research Fund of Contra Costa. (Copy is enclosed)

☐ an Assignment of the invention to _____ is attached.

11. Fee Payment

☐ No filing fee is submitted. The filing fee and surcharge required by 37 C.F.R. 1.16(e) will be paid at a later date.

☒ Enclosed:

<input checked="" type="checkbox"/> Basic filing fee	\$ <u>370.00</u>
<input type="checkbox"/> Fee for extra claims	\$ _____
<input type="checkbox"/> Recordation of Assignment (\$40.00; 37 CFR 1.21 (h) (i))	\$ _____
<input type="checkbox"/> Processing and retention fee (\$100.00; 37 CFR 1.53 (d) and 1.21 (1))	\$ _____
<input type="checkbox"/> Others.	\$ _____

Total Fees Enclosed \$ 370.00

12. Method of Payment of Fees

☒ Enclosed is a check in the amount of \$ 370.00.

☐ Charge Deposit Account No. - / in the amount of \$. A copy of this request is attached.

13. Authorization To Charge Additional Fees

☐ If a check is inadvertently not enclosed or is insufficient, the Commissioner is hereby authorized to charge the following additional fees which may be required, or credit any overpayment, to Deposit Account No. - / . A duplicate copy of this request is attached.

☐ 37 CFR 1.16 (filing fees).

☐ 37 CFR 1.16 (presentation of extra claims).

☐ 37 CFR 1.17 (application processing fees).

☐ 37 CFR 1.18 (issue fee at or before mailing Notice of Allowance, pursuant to 37 CFR 1.311 (b)).

14. Power of Attorney

☐ The Power of Attorney in the prior application is to .

☐ The power appears in the original papers in the prior application.

☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

☒ A Power of Attorney has been executed and is enclosed.

☐ A Power of Attorney will follow.

☒ Address all future communications to:

Viviana Amzel, Ph. D.
220 River Road
Gladwyne, PA 19035

15. Maintenance of Copendency of Prior Application

☐ A petition, fee and response has been filed to extend the term in the pending prior application until _____. A copy of the petition is attached.

☐ Please abandon the prior application when the petition for extension of time in that application is granted. When this application is granted a filing date, make this application copending with said prior application.

☐ A conditional petition for an extension of time, a copy of which is attached, is being filed in the pending parent application.

☐ If necessary, Applicant further requests any additional extensions of time needed to maintain the copendency of the parent application pursuant to the provisions of 37 C.F.R. § 1.136. The Commissioner is authorized to charge Applicant's Deposit Account No. _____

_____/_____ any fees required in the event such an extension is needed, as laid out in the foregoing paragraph 11, any fees required in the event such and extension is needed.

☒ The base issue fee is being paid herewith in the parent application.

16. I hereby declare further that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

1/2/02

Date

220 River Road
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Respectfully submitted,
CANCER RESEARCH INSTITUTE



Viviana Amzel, Ph. D.
Agent for the Applicant(s)